

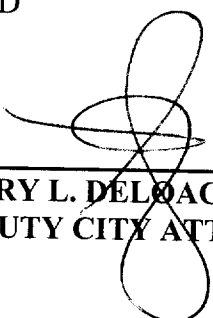
Entered 09/02/04- sb
CL 04L0571 - LISA CARTER

05- R -1037

CLAIM OF: DOUGLAS A. KELLER
4201 East Chapel Hill Road
Douglasville, Georgia 30135

For damages alleged to have been sustained as a result of striking a water valve cover on August 17, 2004 at 4100 Martin Luther King Boulevard at Rayloc Drive.

THIS ADVERSED REPORT IS
APPROVED

BY: 
JERRY L. DELOACH
DEPUTY CITY ATTORNEY

ADVERSE REPORT

PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE

DATE: 6/14/05

CHAIR: C. J. Martin

Way Norwood

Carl Smith

Carla Smith

ADVERSED BY
CITY COUNCIL

JUN 20 2005



CITY OF ATLANTA
OFFICE OF MUNICIPAL CLERK
June 22, 2005

RHONDA DAUPHIN JOHNSON, CMC
MUNICIPAL CLERK

Douglas A. Keller
4201 East Chapel Hill Rd
Douglasville, GA 30135

55 TRINITY AVENUE, S.W.
SECOND FLOOR, EAST
SUITE 2700
ATLANTA, GEORGIA 30335
(404) 330-6033
FAX (404) 658-6103

05-R-1037

Dear Mr. Keller:

I sincerely regret that you have been adversely affected by the circumstances raised in your claim for damages against the City of Atlanta. Your time and patience in this matter has been greatly appreciated.

However, I must notify you that the Atlanta City Council Adopted an Adverse Report on your claim at its regular meeting on June 20, 2005. In consultation with the City's Law Department, who conducted an investigation of the situation, the Council has determined that the City cannot accept responsibility for this matter and therefore cannot pay this claim.

If you desire any further information, please contact the **City Attorney's Office/Claims Division at (404) 330-6400.**

Sincerely,

Rhonda Dauphin Johnson, CMC
Municipal Clerk

cc: Claims Division/Law Department

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 04L0571

Date: May 31, 2005

Claimant /Victim DOUGLAS A. KELLER

BY:(Atty.)(Ins. Co.) _____

Address: 4201 East Chapel Hill Road Douglasville, Georgia 30135

Subrogation: _____ Claim for Property damage \$ 422.45 Bodily Injury \$ _____

Date of Notice: 08/30/04 Method: Written, proper _____ Improper _____

Conforms to Notice: O.C.G.A. §36-33-5 _____ Ante Litem (6 Mo.) _____

Date of Occurrence 08/17/04 Place: 4100 Martin Luther King Boulevard and Rayloc Drive

Department Watershed Management Bureau: Drinking Water Division: _____

Employee involved _____ Disciplinary Action: _____

NATURE OF CLAIM: Claimant alleges that he sustained damages as a result of striking a water valve cover at 4100 Martin Luther King Boulevard and Rayloc Drive. However, the city was not on notice of a problem at this location prior to the incident involving the claimant.

INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____

Pictures X Diagrams _____ Reports: Police _____ Dept Report X Other _____

Traffic citations issued: City Driver _____ Claimant Driver _____

Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental _____ Ministerial X

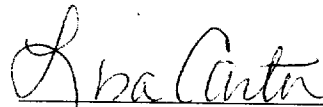
Improper Notice _____ More than Six Months _____ Other X Damages reasonable _____

City not involved _____ Offer rejected _____ Compromise settlement _____

Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____

Claimant Negligent _____ City Negligent _____ Joint _____ Claim Abandoned _____

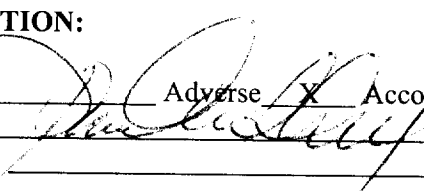
Respectfully submitted,



INVESTIGATOR - LISA CARTER

RECOMMENDATION:

Pay \$ _____ Adverse X Account charged: 1A01 _____ 2J01 _____ 2H01 _____ 2P01 _____

Claims Manager:  Concur/date 06/01/2005

Committee Action: _____ Council Action _____

RCS# 6751
6/20/05
3:36 PM

Atlanta City Council

Regular Session

CONSENT I

CONSENT I PG(S) 4-21 05-R-1086 05-R-1084
05-O-0972 05-R-1093 05-O-0906 05-R-0905
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		6/20/05
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 05-O-1075 2. 05-O-1076 3. 05-O-1078 4. 05-O-1101 5. 05-O-1102 6. 05-O-1103 7. 05-O-1089 8. 05-O-1099 9. 05-O-0904 10. 05-O-0910 11. 05-O-0911 12. 05-O-0912 13. 05-O-0916 14. 05-O-0968 15. 05-O-0976 16. 05-O-1080 17. 05-O-0981 18. 05-O-0982 19. 05-O-1085 20. 05-O-1104 21. 05-O-1105 22. 05-O-1106 23. 05-O-0960 24. 05-O-0961 25. 05-R-1060 26. 05-R-1061 27. 05-R-1077 28. 05-R-1098 29. 05-R-1067 30. 05-R-1068	31. 05-R-1069 32. 05-R-1072 33. 05-R-0903 34. 05-R-1062 35. 05-R-1063 36. 05-R-1064 37. 05-R-1054 38. 05-R-1055 39. 05-R-1056 40. 05-R-1057 41. 05-R-1073 42. 05-R-1074 43. 05-R-1108 44. 05-R-1116 45. 05-R-1117 46. 05-R-0819 47. 05-R-1043 48. 05-R-1044 49. 05-R-1047 50. 05-R-1049 51. 05-R-1019 52. 05-R-1020 53. 05-R-1021 54. 05-R-1022	55. 05-R-1023 56. 05-R-1024 57. 05-R-1025 58. 05-R-1026 59. 05-R-1027 60. 05-R-1028 61. 05-R-1029 62. 05-R-1030 63. 05-R-1031 64. 05-R-1032 65. 05-R-1033 66. 05-R-1034 67. 05-R-1035 68. 05-R-1036 69. 05-R-1037 70. 05-R-1038 71. 05-R-1039 72. 05-R-1040 73. 05-R-1041 74. 05-R-1042